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*ADMITTED IN NEW YORK AND NEW JERSEY

June 9, 20

MEMO ENDORSED

Via Facsimile Only

The Honorable Charles L. Briant
United States District Court
300 Quarropas Street
White Plains, New York 10601

*Approved to 7/25/08 9:00
for Charles L. Briant
USDC
6/9/08*

Re: The Annuity, Pension, Welfare and Apprenticeship Skill Improvement
& Safety Funds of I.U.O.E. Local 137 v. M.V.M. Contracting Corp.
Civil Case No. 08-CIV-3704 (CLB) (GAY)

Dear Judge Briant:

Our office represents Plaintiffs The Annuity, Pension, Welfare and Apprenticeship Skill Improvement & Safety Funds of the International Union of Operating Engineers Local 137, 137A, 137B, 137C & 137R, AFL-CIO in connection with the above-captioned matter which is currently scheduled for an initial conference on Friday, June 13, 2008 at 9:15 a.m. In that the Defendant has recently made two (2) partial payments towards the amount identified as due and owing in the Complaint and has also entered into settlement negotiations with the Plaintiffs to memorialize the terms and conditions for repayment of the remaining deficiency amount, we respectfully request that the conference be adjourned for a period of thirty (30) days so that we may finalized a settlement and submit a Stipulation of Settlement & Order of Discontinuance to Your Honor to be so ordered.

Thank you for your attention to this matter.

Respectfully submitted,

James M. Steinberg
James M. Steinberg (JS-3515)

Cc: M.V.M. Contracting Corp.
Mr. Nicholas Signorelli
Mr. Raymond H. Burgess, Jr.